

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ARI SCHOTTENSTEIN,

Plaintiff,

-against-

KAHN CAPITAL MANAGEMENT, LLC, and BRIAN
R. KAHN,

Defendants.
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SUMMARY ORDER

10 Civ. 7087 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

On March 28, 2012, I held oral argument on the parties' motions for summary judgment. For the reasons stated on the record, Defendant Brian Kahn's motion for summary judgment dismissing him from the case is granted; Defendant Kahn Capital Management's motion is denied. Plaintiff's motion is also denied.

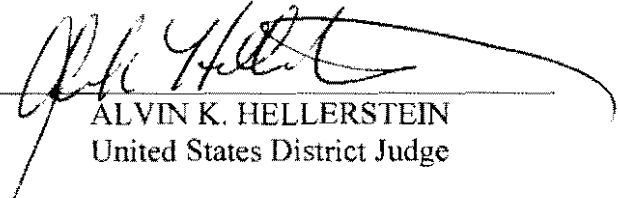
Defendant shall produce to Plaintiff a report of the values of its holdings by April 20, 2012, governed by the confidentiality agreement in this case. Plaintiff's expert may review the holdings report, and Plaintiff shall produce his expert's report to Defendant by May 11, 2012. Defendant shall produce its own expert's report to Plaintiff by June 1, 2012. The parties shall return for a status conference on June 15, 2012, at 10:00 am in Courtroom 14D.

John H. Snyder's Motion to Withdraw as counsel for Plaintiff is granted.

The Clerk shall terminate the motions (Doc. Nos. 78, 84, and 106), and dismiss Defendant Brian Kahn from the case.

SO ORDERED.

Dated: March 29, 2012
New York, New York


ALVIN K. HELLERSTEIN
United States District Judge